

AN ORDINANCE

03-0 -0083

BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT (BUREAU OF HOUSING AND CODE COMPLIANCE) TO DEMOLISH AND CLEAN THE PREMISES OF VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON December 31,2002.

2310 Park Avenue, SW 12

WHEREAS, on March 16, 1987, the Council of the City of Atlanta adopted an Ordinance entitled, "The Atlanta Housing Code of 1987"; and the same was approved by the Mayor of the City of Atlanta on March 24, 1987; and

WHEREAS, on April 25, 2002 pursuant to the Atlanta Housing Code of 1987, Article III; entitled "In Rem Procedures", hearings were held after due notice to owner(s) of and/or parties in interest before the In Rem Review Board regarding certain structures believed to be unfit for occupancy or habitation and to be in violation of Article III; and

WHEREAS, April 25, 2002, The In Rem Review Board determined that the structures on the real property more fully identified hereinafter, were unfit for human occupancy or habitation and could not be improved, repaired, or altered at a cost of fifty percent (50%) or less of the value of structures, exclusive of the foundation and lots after the improvements have been made; and

WHEREAS, the In Rem Review Board did state in writing these findings of fact in support of such determination and the In Rem Review Board issued and caused to be served upon the owner(s) of and /or parties in interest, an Order requiring the owner(s) and/or parties in interest demolish such structures, clean the premises and plant grass on the lot pursuant to Section 33 (3) c of the Atlanta Housing Code; and

WHEREAS, a period of 30 days from the date of said Order was allowed for the owner(s) and/or parties in interest to comply with the Order; and

WHEREAS, the owner(s) and/or parties in interest of the properties failed to comply with the Order of the In Rem Review Board within the specified time.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

SECTION 1: That the Mayor is authorized to direct the Department of Planning and Community Development (Bureau of Housing and Code Compliance) to forthwith demolish and clean the following real property, upon which structure(s) are located:

<u>Proper Street Address</u>	<u>City Council District</u>
2310 Park Avenue, SW	12

SECTION 2: That the Mayor is hereby authorized to direct the Department of Planning And,

Community Development (Bureau of Housing and Code Compliance) to perform the following specific duties at the above mentioned properties:

- (1) Vacate the structures, (if occupied).
- (2) Demolish the structures and clean the premises.
- (3) Plant grass in conformance with the Order of the In Rem Review Board
- (4) File a lien against the real property on which the structures(s) are attached
In an amount necessary to recover the costs incurred by the City of Atlanta

SECTION 3: That the Mayor is further authorized to allow the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to engage the professional services of any of the City of Atlanta's pre-qualified contractors to conduct the appropriate duties listed in **SECTION 2** of this ordinance.

SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

TO WHOM IT MAY CONCERN: LIS PENDENS

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Terrell Warren Orr

12-13-02

**on in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:**

all that tract and parcel
of land lying and being in Land Lot 70 of the 14th District of Fulton County, Georgia,
and being a part of Lot 62 of said Lafayette Park recorded in Plat Book 10, page
142-143 Fulton County Records and being more particularly described as follows:

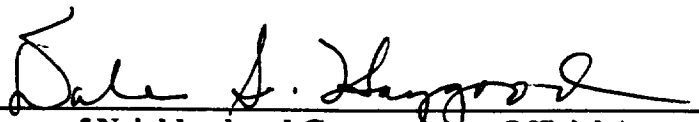
BEGINNING at a point of the East side of Park Avenue 303 feet south of the
corner formed by the intersection of the North side of Parkway and the East side
of Park Avenue; thence South along the East side of Park Avenue 75 feet; thence
east 225 feet to Lot 29 of said plat thence northwesterly 75 feet; thence West 190
feet more or less to Park Avenue and the point of beginning.

Being improved property known as 2310 Park Avenue, SW, according to the
present system of numbering houses in the City of Atlanta.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: December 13, 2002

BY:


Bureau of Neighborhood Conservation, Official Agent
(404) 330-6195

BY:


Assistant Real Estate City Attorney

To Mayor's Office: Greg Pridgeon

(for review & distribution to Executive Management)

Commissioner Signature [Signature]

Director Signature [Signature]

From: Originating Dept. Housing Demolition

Contact (name) Dale Haygood - 6195

Committee(s) of Purview: Comm. Dvlpmt./HR Committee Deadline: Jan. 17, 2002

Committee Meeting Date(s) Jan. 28-Feb. 11, 2003 City Council Meeting Date: Feb. 03, 2003 - Feb. 17, 2003

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2310 Park Avenue, SW

12

BACKGROUND/PURPOSE/DISCUSSION:

Owner(s) and/or Parties in interest at above properties did not repair or demolish the structure and clean the premises in accordance with the Atlanta Housing Code of 1987.

FINANCIAL IMPACT (if any): Approximately \$ 3,500.00

(The actual calculations are not made until the property is released to the contractor. The cost for demolition is based on calculating the square footage for each structure, the quantity of debris and checking the asbestos containing materials in floor covering, pipe insulation, etc.)

OTHER DEPARTMENT(S) IMPACTED: _____

Coordinated Review With: _____

Mayor's Staff Only

Received by Mayor's Office: 1/13/03 [Signature]
(date)

Reviewed: [Signature]
(initials) (date)

Submitted by Council: _____
(date)

Action by Committee: ☐ Approved ☐ Adversed ☐ Held ☐ Amended
☐ Substitute ☐ Referred ☐ Other